

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

LATASHA DAVIS, et al.,

Plaintiffs,

v.

Case No. 2:16cv206

BT AMERICAS INC., et al.,

Defendants.

ORDER

This matter comes before the court on plaintiff's Motion for Conditional Collective Action Certification Pursuant to 29 U.S.C. § 216(b) (ECF No. 32) filed on September 6, 2016. The matter was referred to a United States Magistrate Judge by Order of September 28, 2016 (ECF No. 37), pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the matter.

A hearing was held before United States Magistrate Judge Lawrence R. Leonard on November 4, 2016. The United States Magistrate Judge's Report and Recommendation (ECF No. 43) was filed on November 9, 2016. The magistrate judge recommended granting plaintiff's Motion for Conditional Collective Action Certification.


By copy of the report and recommendation of the magistrate judge, the parties were advised of their right to file written objections

thereto. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired. However, the parties filed on December 2, 2016, a Consent Motion to Revise Proposed "Notice of Pending Lawsuit to Recover Unpaid Wages" (ECF #44), which was granted by United States Magistrate Judge Leonard on December 5, 2016 (ECF #45). The court does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed November 9, 2016, with the exception of the "Notice" attached thereto, and substitutes the "Revised Notice" filed by the parties on December 2, 2016, attached hereto.

Accordingly, the plaintiff's Motion for Conditional Collective Action Certification is **GRANTED**; plaintiffs' counsel is hereby **APPOINTED** as class counsel; defendants are **ORDERED** to provide plaintiffs' counsel with the names, last known mailing addresses, home and/or mobile phone numbers, and e-mail addresses of all potential members of the conditionally certified class; and the parties are **ORDERED** to use the attached revised notice. Any consent to joinder in this action must be collected by plaintiffs' counsel and filed with the Clerk of Court no later than thirty (30) days from the date of entry of this Order.

The Clerk shall forward a copy of this Order to counsel for the parties.

It is so **ORDERED**.

 /s/ 12-5-16
Rebecca Beach Smith
Chief Judge